

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TEVA PHARMACEUTICAL INDUSTRIES
LTD. and TEVA PHARMACEUTICALS USA,
INC.,

Plaintiffs,

PLIVA INC.

v.

Defendant.

Civil Action No. 07-196 (ECF Case)
(WHW) (MF)
(consolidated for discovery)

LUPIN LIMITED and LUPIN
PHARMACEUTICALS, INC.,

Defendants.

Civil Action No. 07-247 (ECF Case)
(WHW) (MF)
(consolidated for discovery)

MATRIX LABORATORIES LTD. and
MATRIX LABORATORIES INC.,

Defendants.

Civil Action No. 07-581 (ECF Case)
(WHW) (MF)
(consolidated for discovery)

DR. REDDY'S LABORATORIES INC. and
DR. REDDY'S LABORATORIES LTD.

Defendants.

Civil Action No. 07-634 (ECF Case)
(WHW) (MF)
(consolidated for discovery)

COBALT PHARMACEUTICALS, INC. and
COBALT LABORATORIES, INC.

Defendants.

Civil Action No. 07-1690 (ECF Case)
(WHW) (MF)
(consolidated for discovery)

(PROPOSED) SCHEDULING ORDER PURSUANT TO RULE 16

The parties having submitted a joint proposed discovery schedule pursuant to Fed. R. Civ. P 26(f), and having appeared before the Court for a scheduling conference on July 12, 2007, it is now hereby ORDERED that pre-trial discovery proceed in accord with the following schedule and limitations:

- I. **Consolidation.** Civil Action No. 07-1690 (WHW) (MF) is consolidated for purposes of discovery with the other civil actions herein.
- II. **Interrogatories.** Maximum of 25 interrogatories (including discrete subparts) by each side per civil action.

- III. **Fact Depositions.** * see below

<p>A. Plaintiffs' Witnesses. Maximum of 20 depositions of plaintiffs' witnesses to be taken collectively by defendants; maximum of two 7-hour days of examination per witness; defendants shall coordinate among themselves which counsel will take the lead at each deposition and shall use their best efforts to avoid duplicative questioning.</p>
<p>B. Defendants' Witnesses. Maximum of 20 depositions per civil action of defendants' witnesses to be taken by plaintiffs; maximum of two 7-hour days of examination per witness.</p>

- IV. **Schedule.**

Type of Discovery	Date
Non-binding identification of claims to be asserted by plaintiffs against each defendant	November 15, 2007
Document discovery substantially completed	January 1, 2008
Exchange privilege logs	January 1, 2008
Motions to amend pleadings/join additional parties to be filed no later than	February 14, 2008
Fact discovery completed	July 14, 2008
Responses to contention interrogatories served no later than	July 28, 2008
Service of affirmative expert reports on behalf of party with burden of proof on claim or defense	September 1, 2008
Service of rebuttal expert reports	September 30, 2008

Type of Discovery	Date
Service of reply expert reports	October 17, 2008
Expert discovery completed	January 16, 2009
Dispositive motions to be served and filed no later than	February 17, 2009
Opposition papers to be served and filed no later than	March 17, 2009
Reply papers to be served and filed no later than	March 31, 2009

Dated: Aug 24, 2007


 Mark Falk
 United States Magistrate Judge

* The parties are directed to proceed with depositions expeditiously, in good faith within the general parameters discussed at the scheduling conference and raise any unresolvable disputes with the Magistrate Judge, following an in-person meeting amongst counsel to resolve the dispute. ^{my}